



# NASWA Bulletin - November 26, 2014

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## **House, Senate Working to Complete FY 2015 Spending Plan to Avert Government Shutdown**

Although the Republicans won enough seats in the November 4 elections to take control of the U.S. Senate (*see next article*), the new Congress does not officially take control until January and until that time, the Democrats will retain power (in the Senate) in what is known as a “lame-duck” or post-election session of Congress. Several significant issues will consume the lame duck

Congress in December, but the priority is completing the fiscal 2015 appropriations process to keep the federal government operating.

Following the Thanksgiving holiday break, the Senate and House will have several options on how to complete the fiscal year 2015 appropriations process. They include (1) an omnibus spending bill -- combining all 12 appropriations bills in one package, (2) a continuing resolution to keep the federal government operating until the new Congress takes power, (3) or a combination of both.

In-coming Senate Majority Leader Mitch McConnell (R-KY) said negotiations will continue on a host of options including both approaches -- an omnibus spending bill and a continuing resolution that would prevent a lapse in government funding when a current continuing resolution expires December 11.

However, with President Obama's executive action on immigration, announced on November 20, the situation has become more complicated and it appears the House Majority and the new Majority in the Senate may look at alternatives to block the President's executive action.

One option under consideration in the House is to fund most government agencies through September 2015 (the end of Fiscal Year 2015), while providing shorter-term funding for immigration-related programs. The proposal would likely be opposed by senior members of the House and Senate committees on appropriations from both parties as they have been urging their colleagues to adopt an omnibus appropriations bill for the remainder fiscal 2015 and it is unclear whether there would be sufficient votes to pass the Senate.

The House and Senate will be back to work on Monday, December 1st, but will only have a few days to agree upon a strategy to complete the fiscal 2015 appropriations process before the current continuing resolution expires on December 11th.

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## **Elections: Governors, U.S. House and Senate**

The 2014 midterm elections have shifted the political balance in Washington with Republicans set to control both chambers of Congress for the next two years in January. The following summarizes the gubernatorial, Senate and House races. Please click on the links next to each for a complete listing of state and district results.

**2014 Gubernatorial Races:** Please click [Here](#) for a Detailed Summary

There were 36 gubernatorial elections held across the country. Democrats picked up one state – Pennsylvania, while Republicans picked up four states – Illinois, Massachusetts, Maryland, and Arkansas. An Independent won in Alaska and Vermont remains undecided. At a minimum, Republicans will hold offices in 31 states and Democrats will hold offices in 17 states. NASWA offers a special welcome to the 12 governors-elect: **Bill Walker**, Alaska; **Doug Ducey**, Arizona; **Asa Hutchinson**, Arkansas; **David Ige**, Hawaii; **Bruce Rauner**, Illinois; **Larry Hogan**, Maryland; **Charlie Baker**, Massachusetts; **Pete Ricketts**, Nebraska; **Tom Wolf**, Pennsylvania; **Gina Raimondo**, Rhode Island; **Greg Abbott**, Texas; and **Kenneth Mapp**, Virgin Islands.

**2014 Senate Races: Please click [Here](#) for a detailed Summary**

Republicans gained control of the Senate for the first time since 2006, picking up seats in **Alaska, Arkansas, Colorado, Iowa, Montana, North Carolina, South Dakota, and West Virginia**. One race remains unresolved with Democratic incumbent Senator Mary Landrieu (D-LA) facing a runoff against Rep. Bill Cassidy (R-LA) on December 6, 2014. Republicans will hold 53 seats in the Senate – pending the outcome of the LA runoff – and Democrats will have 44 seats plus two additional seats occupied by Independents, who traditionally caucus with the Democratic party.

**2014 House Races: Please click [Here](#) for a Detailed Summary**

Republicans maintained control of the House, but expanded their majority. Republicans won a total of at least 244 seats in the House, their largest majority since 1928, picking up 12 additional seats. Three races remain undecided, with one House race in AZ headed for a re-count and two runoff races in Louisiana will to be held in early December.

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## **Administration and Finance and Employment and Training Committees Hold Joint Meeting on WIOA Implementation with Key System Partners**

Over 50 members of NASWA's Employment and Training (E&T) Committee and Administration and Finance (A&F) Committee met with key system partners during a full-day meeting in Washington, D.C. on November 13th. NASWA attendees represented over 30 states.

Leadership from the U.S. Department of Labor and the U.S. Department of Education were in attendance throughout the day, listening to NASWA members provide insights related to important Workforce Innovation and Opportunity Act (WIOA) implementation and regulatory issues.

Martin Simon, Program Director, Economic, Human Services & Workforce Division and Stephen Parker, Legislative Director, Education and Workforce Committee, from the National Governors

Association also participated during the day. In addition, Ron Painter, CEO of the National Association of Workforce Boards, participated in a special session on local partners.

**Committee Chairs Pamela Szacik (NH)** from the Employment and Training Committee, and **Dennis Murphy (CT) along with Jackie Turner (Vice Chair) of the Administration and Finance Committee** led the day-long event. **NASWA's Executive Director Scott Sanders** helped to moderate the day's sessions, which covered governance and infrastructure; performance accountability; local partners; youth formula grants; adult formula grants; and workforce technology. In addition, U.S. Department of Labor (USDOL) staff with responsibility for the development of regulations in a specific area joined the discussions.

The Committee Chairs opened the day by welcoming attendees and introducing Mr. Sanders, who described his goals as NASWA's new Executive Director. He introduced **Portia Wu, Assistant Secretary of the Employment and Training Administration, USDOL**, who helped set the stage for the day with her opening remarks on the regulatory process for WIOA and new system partnerships.

Following Assistant Secretary Wu, a state roundtable was held during which Committee members discussed the three to four key issues in their states for WIOA implementation—including opportunities, challenges, regulations, technical assistance, and best practices. This overview was helpful for getting an early sense of the major opportunities and challenges states collectively face. Among the most notable challenges mentioned were **funding of workforce IT systems, redirection of the WIOA youth grant, procurement of one-stop operators, systems integration, and implementation of the performance accountability provisions.**

After the six WIOA issue sessions, which averaged an hour each, Mr. Sanders led a wrap-up session which began with presentations by **Elise Lowe-Vaughn (CO) and Jim Apperson (AZ)** outlining their states' WIOA efforts and challenges to date.

On Friday, November 14th, the two NASWA Committees met separately and conducted committee business.

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## **NASWA hosts Equal Opportunity in the Workforce System 2014**

NASWA's Equal Opportunity (EO) Committee hosted the Equal Opportunity in the Workforce System 2014, October 29-31, 2014, in Washington, DC. This event provided useful training workshops for state and local workforce agency staff to help meet their Equal Opportunity and Affirmative Action responsibilities.

The EO Committee **Chair Richard McPherson (OK)** provided opening remarks. Invited guests and partners participated in plenary discussions and collaborated with EO Committee members in seven training sessions and roundtable discussions. Partners from U.S. Department of Labor (USDOL) included **Naomi Barry-Perez, Director, Civil Rights Center (CRC)**; **Gerri Fiala, Deputy Assistant Secretary, Employment & Training Administration (ETA)**; Chris Button, Supervisory Policy Advisor, Office of Disability Employment Policy (ODEP); Roger Ocampo, Chief, Office of Compliance Assistance and Policy, CRC; Denise Sudell, Chief, Office of External Enforcement, CRC; Lisa Stern, Employment Policy Advisor, National Disability Institute; and several other key staff from USDOL.

This national event provided important training and informational exchange to 140 state and local equal opportunity professionals from 44 states.

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## **Congressional 2015 Calendar Released**

This week, the U.S. Senate and House released their 2015 calendar. While both chambers will be in session on approximately the same days, the Senate is generally in session on Fridays while the House generally concludes their work on Thursday evenings. The August congressional recess, the longest of the year, will start on August 10 for the Senate and a week earlier for the House and both chambers returning after Labor Day. Please [click here](#) for the schedule.

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## **Webinar: Veterans Employment Center Introduced to Workforce System**

The Employment and Training Administration in conjunction with the Department of Veteran's Affairs (VA) hosted a webinar introducing the new Veterans Employment Center (VEC) to the workforce system. The [National Labor Exchange \(NLX\)](#) provides the job content to the enhanced VEC through the Veterans Job Bank found on the VA's eBenefits platform. For access to the full presentation and handouts, click [here](#).

### **What does this mean for State Workforce Agencies?**

This means that job content from state job banks is now found in the VEC. Job content is delivered to the VEC on a daily basis from the file that states upload to the NLX on a daily basis.

Employers who would like to have their jobs posted on the VEC can post with a state job bank directly or utilize no cost indexing through the NLX indexing or customizable spidering can

effectively grow the number of jobs in a state's job bank in an automatic way. Many states have already engaged NASWA on indexing and these states are seeing tremendous growth in the number of jobs in their State Job Banks.

As a reminder, the NLX is the content provider to additional national tools from the U.S. Department of Labor including MySkillsMyFuture, Career One Stop and MyNextMove. The NLX is also the job content provider to the U.S. Chamber of Commerce Foundation's Hiring Our Heroes.

Click [here](#) to view a quick tutorial on how to begin Indexing in your State.

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## **Webinar: ETA WIOA 101 Webcast Series Now Available**

The Employment and Training Administration (ETA) announced this week a 13-part webcast series "WIOA 101" -- now available on [Workforce3One](#).

Focused on describing the basic aspects of the law, the series provides an excellent explanation of WIOA in a very easy to understand manner. The goal was to create a resource that could be used to train staff, Workforce Investment Board (WIB) members, partners and other stakeholders who may not have been exposed to this information yet. Assistant Secretary Wu announced its availability on a call with the system held this week. The link is posted on [www.doleta.gov/wioa](http://www.doleta.gov/wioa), and an e-blast about it went to the 118,000+ registered members of Workforce3One. A unique aspect of this web resource is that ETA produced it as a menu of short webcasts, so users have the opportunity to view the modules separately.

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## **SIDES Update: Upcoming Training Session, E-Response Testimony, PeopleSystem Launches**

The State Information Data Exchange System (SIDES) is a web-based system that allows state Unemployment Insurance (UI) agencies to communicate electronically with employers and their representatives, referred to as Third Party Administrators (TPAs).

### **SIDES Training Session in Denver, Colorado**

On **February 3 - 4, 2015**, the SIDES team will be conducting SIDES Implementation Training in Denver, Colorado. The training is offered for Alaska and Connecticut, the next round of states to go live with SIDES in 2016, as well as any state or employer representatives who did not have an

opportunity to attend such training earlier. The training is free of charge other than travel expenses. The training agenda is set for two full days, starting from at 8:30 a.m. until 5:00 p.m. both days. Any states, employers, and TPAs who are already live with SIDES who are interested in attending the training, please contact Mariann Huggins, SIDES Program Specialist at [mhuggins@naswa.org](mailto:mhuggins@naswa.org).

## **PeopleSystems Goes Live on SIDES**

On November 1, 2014, PeopleSystems went live on SIDES with the Oregon Employment Department and Texas Workforce Commission. PeopleSystems is in the process of testing with the New York State Department of Labor, in both Separation Information, and Monetary and Potential Charges formats.

The National Employers Council, Inc. began as an unemployment tax control service in 1975 and has been growing ever since. Today, they are better known nationally as PeopleSystems and still maintains a substantial client base for unemployment cost control services along with a suite of other services focused to help employers reduce the liabilities and costs associated with effective Human Resources Management. While its National Support Center is located in Syracuse, New York, PeopleSystems also has regional offices in major metropolitan areas throughout the country. PeopleSystems represents over 5,000 employers in all 50 states and in all major industries, including nonprofit organizations and government agencies.

PeopleSystems is in the beginning phases of working with the Colorado Department of Labor and Employment, Idaho Department of Labor, Utah Department of Workforce Services, and Wisconsin Department of Workforce Development, to be live with by the end 2014. It is currently designing the Determinations and Decisions exchange, and plans to be in production with all participating SIDES states by the end of 2015.

States or employers interested in SIDES should contact SIDES Director Jerry Pectol at (918) 213-0029 or [jerry.pectol@itsc.org](mailto:jerry.pectol@itsc.org).

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## **California Pilots Statewide Virtual Career Fair in Collaboration with NLX**

On Wednesday, November 19th, the State of California hosted a virtual career fair, connecting California's job seekers with employers hiring in the State. In honor of Veterans Day and in recognition of October's National Disability Employment Awareness Month the career fair was designed as a "Diversity Career Fair," specifically targeting veterans, military families and people with disabilities. Sponsored by California's Employment Development Department (EDD), and in

collaboration with the National Labor Exchange (NLX), the event was offered at no cost to both employers and jobseekers. Over 1,900 jobseekers registered for the event and 80 percent of those registered completed a profile, which is necessary for participation. Fifty percent of those with completed profiles logged in and actively participated in the event (40% is the average attendance rate for the virtual career fair industry).

Thirty-five employers were represented at the event, most of which had participated in at least one virtual event in the past. DirectEmployers Association, NASWA's partner for the NLX, marketed the no-cost event to its members, and the State of California was able to reach out to select business partners/customers to invite them to attend. For the supply side, the NLX team developed a 10-minute video presentation, "How to Prepare for a Virtual Career Fair" to support the state's efforts in marketing and attendance. More than 425 unique visitors viewed the video, available [here](#) and at the link below.

As is the case with any career fair, follow-up is key. The EDD will receive employer feedback from Brazen Careerist (DirectEmployer's virtual career fair partner) regarding their experience, and the State will be able to send follow-up emails to all jobseekers that participated. NASWA hopes to continue these efforts through its partners, bringing similar events to other states in the future.

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## **Notices, Advisories and Reports**

### *USDOL Directives & Releases*

**November 18, 2014:** ETA released [Unemployment Insurance Program Letter No. 4-15](#) providing guidance to state unemployment insurance (UI) agencies on disclosure of confidential unemployment compensation (UC) information to health insurance exchanges for purposes of implementing the Affordable Care Act (ACA).

**November 7, 2014:** ETA issued [Training and Employment Notice No. 13-14](#) informing the public workforce investment system about available health insurance coverage options during the Health Insurance Marketplace Open Enrollment period beginning November 15, 2014 through February 15, 2015, and offering potential opportunities to refer job seekers and workers to information about how and where to sign up for coverage.

**October 28, 2014:** ETA released [Training and Employment Notice No. 12-14](#) providing guidance to states and other recipients of funds under title I of WIA on the use and reporting of PY 2014 funds for planning and implementation activities associated with the transition to WIOA.

**October 30, 2014:** ETA released [\*Training and Employment Guidance Letter No. 13-14\*](#) issuing rescissions for obsolete Older Worker Bulletins (OWBs) or ones replaced by Training and Employment Guidance Letters (TEGLs).

**October 30, 2014:** ETA released [\*Unemployment Insurance Program Letter No. 3-15\*](#) reminding states of the U.S. Department of Labor's (Department) interpretation of the confidentiality requirement for unemployment compensation (UC) appeals information and to clarify when confidential UC information in UC appeals records may be disclosed to the public under 20 CFR 603.5(b).

#### *Bureau of Labor Statistics Reports*

**November 13, 2014:** The Bureau of Labor Statistics (BLS) released its monthly [\*Job Openings and Labor Turnover Summary \(JOLTS\)\*](#) for the month of September 2014. According to the BLS report, there were 4.7 million job openings at the end of September, little changed from the revised August 2014 figure of 4.9 million (seasonally adjusted). In September, the hires rate and separations rates increased at 5 percent and 4.8 percent.

**November 20, 2014:** BLS released the [\*October 2014 Real Earnings\*](#) reporting real average hourly earnings seasonally adjusted for all employees rose 0.1 percent from September to October. This result stems from a 0.1 percent increase in average hourly earnings combined with no change in the Consumer Price Index for All Urban Consumers (CPI-U). Real average weekly earnings increased 0.4 percent over the month due to the increase in real average hourly earnings combined with a 0.3 percent increase in the average workweek.

#### *Congressional Research Service Reports*

**[\*CRS Report - Unemployment Insurance: Legislative Issues in the 113th Congress\*](#):** The Congressional Research Service (CRS) released a report providing a brief overview of the three unemployment insurance programs –Unemployment Compensation, EUC08 (expired) and Extended Benefits – that may provide benefits to eligible unemployed workers. The report also includes descriptions of enacted and proposed unemployment insurance legislation in the 113th Congress.

**[\*CRS Report - The Temporary Assistance for Needy Families Block Grant An Overview\*](#):** The CRS released a report providing an overview of the Temporary Assistance for Needy Families (TANF) block grant provides grants to states, Indian tribes, and territories for a wide range of benefits, services, and activities that address economic and social disadvantage for families with children.

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Articles were contributed by by Mark Katz, Jim Van Erden, Charlie Terrell, Mariann Huggins, Don Wehbey, Hillary Hewko.